



Excellence in Truth and Service

Cathy Hughes School of Communications
Department of Communication, Culture and Media Studies

June 9, 2017

Chairman Ajit Pai
Federal Communication Commission
445 12th St, SW
Washington, DC, 20054

Docket No.: 17-108

Dear FCC Commissioner Pai:

We urge the Commission to abide by and keep intact the Open Internet Order on net neutrality adopted in 2015. As we stated in our comments to the Commission after this landmark FCC decision on February 26, 2015, the policy establishing free and open access to the Internet ensures that all persons and groups have equal access to the Internet with freedom to participate fully in public and private discourse.

This FCC decision is consistent with the spirit of freedom of expression underlying both the First Amendment of the U.S. Constitution and Article 19 of the Universal Declaration of Human Rights (UDHR). Article 19 of the UDHR specifically upholds individual rights to “receive impartial information and ideas through any media. . . regardless of frontiers.”

In declaring the Internet to be a public utility or “common carrier” under Title II of the Communications Act of 1934, the FCC recognized both the need to apply common carriage obligations to broadband service in order to protect First Amendment’s free speech objectives, such as viewpoint diversity, and the nation’s heavy reliance on digital communication. This digital reliance was verified by the latest research by the Pew Center and the Internet Society, which have found that 87% of those in the United States use the Internet, with 75% of them being users at home. The new policy also paves the way for local governments to establish low-cost Internet service in their communities more easily.

While we are aware that Net Neutrality opponents have sought to politicize the policy as restrictive of corporate opportunity to control the Internet, we believe such concerns are outweighed by the public’s need to exercise its freedom of expression in the marketplace of ideas that is essential to democracy. Free speech rights of individuals should not be sacrificed to serve the economic interests of corporate owners of broadband facilities who already have easy access and a wealth of resources to reach their audiences. As Judge Stewart Dalzell observed, the Internet is considered the “most participatory form of mass speech yet developed” and has contributed significantly to the creation and shaping of a public sphere of contemporary

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democratic civil society. Thus, as long as we recognize the importance of informed publics, individuals' access to and use of the Internet should not be determined by the logic of economic efficiency but should abide by a principle of free and open access. Furthermore, exercising the human right to Internet access should not be dictated by household income.

As communication scholars dedicated to Howard University's mission of advocating for the civil and human rights of all -- particularly for historically marginalized and disfranchised groups -- we applaud this policy as a responsible action by the FCC, which is charged with the duty to protect the public interest.

Finally, although we recognize that corporate media conglomerates and industry lobbyists will continue to accelerate their well-funded campaigns against the Open Internet Order in Courts, Congress, and the FCC, our Howard Media Group members will continue to work with public interest entities, on the basis of one or more shared concerns, to maintain a free, open and equitable Internet for all living in the United States.

Howard Media Group is a research collaborative composed of faculty and doctoral students in communication at Howard University. Our specific research concern is with communication policy, particularly with respect to advancing policy in the public interest.

Respectfully,

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